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Description of document: **Federal Bureau of Investigation (FBI) report of 23-March-1981 interview of Joseph S. Chagra re: murder of Judge John Wood**

Released date: November 29, 2007

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Title of Document FD 302 (REV 3-8-77) Federal Bureau of Investigation (File #) SA 89B-250

Source of document: Federal Bureau of Investigation
Record Information/Dissemination Section
170 Marcel Drive
Winchester, VA 22602-4843

Notes: This is an excerpt of a larger FBI file.

Judge Wood was shot in the back with a high-powered rifle in the driveway of his San Antonio home on May 29 1979. Judge Wood was the first sitting Federal Judge murdered in this century and the first contract murder of a Federal Judge in U.S. history. Charles Harrelson, father of movie star/comedian Woody Harrelson, was convicted of having actually pulled the trigger for which he was reportedly paid \$250,000. He is currently serving two life sentences in a Colorado maximum security prison.

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U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535

November 29, 2007

Subject: CHAGRA, JOSEPH S

FOIPA No. 1036817- 001

Dear Requester:

The enclosed documents were reviewed under the Freedom of Information/Privacy Acts (FOIPA), Title 5, United States Code, Section 552/552a. Deletions have been made to protect information which is exempt from disclosure, with the appropriate exemptions noted on the page next to the excision. In addition, a deleted page information sheet was inserted in the file to indicate where pages were withheld entirely. The exemptions used to withhold information are marked below and explained on the enclosed Form OPCA-16a:

Section 552		Section 552a
<input type="checkbox"/> (b)(1)	<input type="checkbox"/> (b)(7)(A)	<input type="checkbox"/> (d)(5)
<input type="checkbox"/> (b)(2)	<input type="checkbox"/> (b)(7)(B)	<input type="checkbox"/> (j)(2)
<input type="checkbox"/> (b)(3) _____	<input checked="" type="checkbox"/> (b)(7)(C)	<input type="checkbox"/> (k)(1)
_____	<input type="checkbox"/> (b)(7)(D)	<input type="checkbox"/> (k)(2)
_____	<input type="checkbox"/> (b)(7)(E)	<input type="checkbox"/> (k)(3)
_____	<input type="checkbox"/> (b)(7)(F)	<input type="checkbox"/> (k)(4)
<input type="checkbox"/> (b)(4)	<input type="checkbox"/> (b)(8)	<input type="checkbox"/> (k)(5)
<input type="checkbox"/> (b)(5)	<input type="checkbox"/> (b)(9)	<input type="checkbox"/> (k)(6)
<input checked="" type="checkbox"/> (b)(6)		<input type="checkbox"/> (k)(7)

20 **page(s)** were reviewed and 20 **page(s)** are being released.

☐ Document(s) were located which originated with, or contained information concerning other Government agency(ies) [OGA]. This information has been:

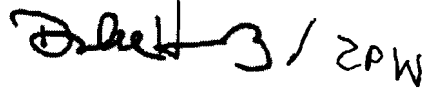
- ☐ referred to the OGA for review and direct response to you.
- ☐ referred to the OGA for consultation. The FBI will correspond with you regarding this information when the consultation is finished.

☒ You have the right to appeal any denials in this release. Appeals should be directed in writing to the Director, Office of Information and Privacy, U.S. Department of Justice, 1425 New York Ave., NW, Suite 11050, Washington, D.C. 20530-0001 within sixty days from the date of this letter. The envelope and the letter should be clearly marked "Freedom of Information Appeal" or "Information Appeal." Please cite the FOIPA number assigned to your request so that it may be easily identified.

☐ The enclosed material is from the main investigative file(s) in which the subject(s) of your request was the focus of the investigation. Our search located additional references, in files relating to other individuals, or matters, which may or may not be about your subject(s). Our experience has shown, when ident, references usually contain information similar to the information processed in the main file(s). Because of our significant backlog, we have given priority to processing only the main investigative file(s). If you want the references, you must submit a separate request for them in writing, and they will be reviewed at a later date, as time and resources permit.

☒ See additional information which follows.

Sincerely yours,

A handwritten signature in black ink, appearing to read "D. Hardy" followed by a stylized flourish and the initials "ZPW".

David M. Hardy
Section Chief
Record/Information
Dissemination Section
Records Management Division

Enclosure(s)

This is in response to your Freedom of Information Act request to the FBI concerning Joseph S. Chagra. Reference should also be made to your telephone conversation with a member of my staff in which you reduced the scope of your request for documents concerning Joseph S. Chagra.

EXPLANATION OF EXEMPTIONS

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

- (b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute(A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could be reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could be reasonably expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual;
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.

FEDERAL BUREAU OF INVESTIGATION

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3/23/81

Date of transcription

Joseph Salim Chagra, white male, date of birth October 16, 1946, voluntarily appeared at the San Antonio office of the Federal Bureau of Investigation (FBI) with his Attorney, [redacted] of Dallas, Texas. Chagra's voluntary appearance at this time had been arranged by Chagra's attorney through a contact with Assistant United States Attorneys W. Ray Jahn and John C. Emerson. Chagra and his attorney met with Special Agents [redacted] and [redacted] in a private conference room commencing at approximately 10:00 a.m. Chagra was personally familiar with Special Agents [redacted] and [redacted] from prior interviews, and [redacted] had also previously met SA [redacted]. SA [redacted] introduced himself to [redacted] at the outset of the meeting.

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[redacted] stated at the outset that he and his client, Joseph Chagra, were appearing voluntarily at this time in hopes that FBI interview of Chagra would help FBI Agents investigating the murder of Judge John Wood decide in their own mind whether or not Joe Chagra himself had any knowledge of that crime prior to its commission. SA [redacted] then reemphasized to Joseph Chagra that he was here voluntarily and that this meeting did not concern any plea bargaining, but was a direct FBI interview of him in the presence of his attorney. SA [redacted] also advised Joseph Chagra that the FBI had not yet agreed to administer a polygraph to him. SA [redacted] advised Joseph Chagra that he was a target in the FBI's investigation of the May 29, 1979, murder of Judge John Wood in San Antonio, Texas. Chagra acknowledged that he understood all of these points.

At this time SA [redacted] advised Joseph Chagra of his Constitutional Rights as indicated on a typewritten "Advice of Rights" form. Chagra stated that he understood his rights and signed the form, and his attorney, [redacted] signed as a witness. Chagra subsequently voluntarily provided the following information in the presence of his attorney, in response to questions posed to him by SA's [redacted] and [redacted] and, in certain instances, by [redacted].

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Chagra stated that he has been "thinking about taking a private polygraph on the Wood case" for the last three or four months, but he had been putting it off. He had obtained the

Investigation on 3/20/81 at San Antonio, Texas File # 89B-250
SA [redacted] RHZ:ju Date dictated 3/21/81
SA [redacted]

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names of three or four polygraphers whom he was considering contacting in order to take this private polygraph. When his home and the residences of several of his relatives in El Paso, Texas, were searched by Federal Agents on February 27, 1981, it convinced him that he should take the polygraph immediately. He contacted Las Vegas attorney [redacted] for advice, and [redacted] "sent him" to meet polygrapher [redacted] in Santa Ana, California. Chagra had never previously heard of [redacted] but the appointment was set up by [redacted]. This polygraph was administered in Santa Ana, California, the day after Chagra first talked to Dallas attorney [redacted] concerning obtaining his representation.

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Chagra noted that he had previously taken one polygraph, shortly after the murder of his brother, Lee Chagra, in El Paso, Texas, December 23, 1978. He noted that all the time he was thinking about taking the private polygraph, he intended to take an "unlimited" polygraph concerning the Wood case. That is, he would respond to questions as to whether or not he had anything to do with Judge Wood's murder or related events either before or after the commission of the crime. However, after the polygraph appointment had been set and he spoke to attorney [redacted] advised him to take a "limited" polygraph only, responding to questions only as to his knowledge prior to May 29, 1979.

At this point in the interview [redacted] stated that he did tell Joseph Chagra to take a limited polygraph only, not an "across the board" polygraph. He advised Joseph Chagra to take a polygraph only concerning his knowledge of the planning or commission of Judge Wood's murder prior to May 29, 1979, since he, as an attorney, felt that from his understanding of the situation, this was the key issue which Chagra should resolve as a potential target of the investigation.

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Chagra stated that during the "pre-test" phase of the polygraph administered to him by [redacted] in Santa Ana, California, he explained to [redacted] the facts of the Wood case as he (Chagra) understood them, and informed [redacted] that he wanted to be tested on his prior knowledge of the crime. [redacted] then asked him control questions such as, "Are you Joe Chagra?" and questions concerning his age, etc. The key questions that he was asked and which he answered during the main part of the test were as follows:

1. Did you yourself murder Judge Wood?
2. Did you plan with any person to commit the murder of Judge Wood?
3. Did you pay or hire anyone to murder Judge Wood?
4. Did you have any knowledge that Wood was to be murdered prior to May 29, 1979?

Chagra stated that he answered all of the above questions "no." He stated that he was advised by [redacted] at the conclusion of the test that he showed no deceptive responses concerning those answers to those questions.

At this point in the interview [redacted] noted that [redacted] is not involved in representing Joseph Chagra in the Wood case, and [redacted] is not Joe Chagra's lawyer. Chagra and [redacted] advised the FBI at this time that polygrapher [redacted] would be willing to be interviewed by the FBI concerning the polygraph he administered to Joseph Chagra and they will make [redacted] test charts and papers available to the FBI for review and analysis.

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Joseph Chagra then supplied the following information concerning the general "animosity" between members of the Chagra family, Judge Wood, and Assistant United States Attorney James Kerr. Chagra's first statement on this point was, "Prior to Lee's murder, every case Lee and/or I had in Wood's court some kind of problem developed which ended with Wood personally attacking Lee." Chagra stated that whenever they went to court, Judge Wood ended up putting Lee in a position where he had to defend himself personally. Wood normally accomplished putting Lee Chagra in this position by alleging that there was a conflict of interest between Lee Chagra and the client he was defending.

Chagra stated that this all "came to a head" in court hearings during Lee Chagra's defense of [redacted] in [redacted] Federal narcotics case in 1978. Chagra had filed a motion to dismiss [redacted] indictment on grounds of double jeopardy, and had filed supporting motions requesting information from the government concerning when the information leading to [redacted] indictment on the continuing criminal enterprise count had been obtained by the government. Chagra thought that determining this information would bolster his chances of winning the dismissal motion. When Lee Chagra presented the motions requesting the court to force the government to provide this information, Assistant U. S. Attorney "Kerr jumped up claiming Lee was fishing to find out what evidence the government had against him."

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Because of this and other actions of Wood and Kerr in [redacted] case and other cases, Lee Chagra also filed a recusal motion against Wood in [redacted] case, asking Wood to remove himself from hearing the case. First Wood said that he would remove himself, and then he changed his mind at the next hearing.

According to Joe Chagra, "Lee always felt like Wood respected him as an attorney," but the more times that Lee Chagra went up against the duo of Wood and Kerr, the worse became their treatment of him. Joe Chagra stated that Wood was tougher on cases when Kerr was the prosecutor, than in cases where Assistant U. S. Attorneys other than Kerr were prosecuting the case.

At this point in the interview, [redacted] noted that Lee Chagra once told him that Wood "had gone to bat" for Lee Chagra on an occasion when Lee Chagra was indicted on a narcotics case. Lee Chagra told [redacted] that he had heard that Wood had written a letter to government prosecutors handling Chagra's indictment stating that the indictment and its surrounding publicity were hurting Lee Chagra's reputation and legal practice in El Paso, and therefore, Wood urged the government to give Lee Chagra a speedy trial to resolve the situation.

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Joe Chagra noted that as time went by, everyone in his family thought that Wood and Kerr were getting too personal in their attacks on Lee, and Wood was siding with Kerr too many times. Also, "Lee did always feel that DEA was trying to get him for something or other."

SA [redacted] asked Joseph Chagra the reason for his comment to the news media subsequent to his own Federal Grand Jury appearance in San Antonio, Texas, on August 20, 1980, said comment to the effect that "Judge Wood had committed suicide." Chagra responded that, "That was taken out of context and blown up." Joe Chagra noted that during his questioning at the Federal Grand Jury, United States Attorney Jamie Boyd asked him how he thought the investigation of the murder of Judge Wood should be conducted. Chagra stated that he advised Boyd and the Grand Jury at that time that he thought that anyone on Judge Wood's docket should be investigated. When he came out, "the media hit me." The point he was trying to make in his comments to the media at that time was that "Wood was continually hurting people everyday, handing out harsh sentences and siding with Kerr and that eventually something like that is going to get back to you." Joe Chagra noted that it was the general consensus among attorneys in the Texas Bar that "Wood was not the fairest guy in the world-his sentences were too harsh."

Joseph Chagra stated that his personal feelings concerning Judge Wood were as follows. "I didn't like the man, I hated to try cases in his court, especially when Kerr was the prosecutor." However, he stated that he could not give any specific instances where Wood was rude to him or embarrassed him-"his rulings were just one-sided." Joe Chagra noted that "in chambers Wood was the nicest guy in the world, offering you coffee and talking about

fishing, etc. What got me and Lee and [] upset was that we were always being in court trying to defend our family, family members, and family reputation-it got real old."

Joe Chagra also stated that he firmly believed that the indictment of his [] on Federal narcotics charges was "manipulated" so the indictment would be brought in Midland, Texas, so Wood would be the trial Judge.

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Joseph Chagra was then questioned concerning his legal representation of [] and [] the matters on which he has represented or does represent them, and when that representation commenced. Concerning his legal representation of [] Joseph Chagra said, "I feel I've represented [] since I became a lawyer. Lee and I were always his lawyers." Joseph Chagra specified that he has represented [] in [] divorce [] during some court fights involving child support, and when [] was once arrested for being in possession of a firearm in a bar in El Paso, Texas. This particular case was reduced to a misdemeanor, to which [] pled guilty and was fined approximately \$1,000.

Joe Chagra stated that he and [] an attorney in Las Vegas, Nevada, have also represented [] in the Federal narcotics cases on which [] was tried in August, 1979, in Austin, Texas, and on a Boston Federal narcotics indictment which was resolved in October or November, 1980. Concerning Joe Chagra's representation of [] in the Wood case, Chagra stated, "If I'm not a defendant in the Wood case, I'll be [] lawyer." Chagra stated that if the FBI wanted to interview [] at this time concerning the Wood case, whether or not to allow such interview would be a joint decision between himself and attorney []. He stated he and [] have always consulted concerning legal decisions on [] cases.

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Concerning Joseph Chagra's legal representation of [] Chagra provided the following information. He stated that he knows that his attorney [] does not agree with his definition of when his representation of [] began. Chagra feels that he is currently [] attorney of record on the Houston firearms and related charges filed against [] in Houston, Texas, in February, 1980, on which [] is currently incarcerated at the Harris County Jail, Houston, Texas, and awaiting trial. Chagra noted at this point in the interview that shortly after he was interviewed by SA [] in El Paso in October, 1980, he received a letter from [] writing from the

Harris County Jail. [] asked Chagra to come and see him. Chagra stated to SA [] at this time, "When you and I talked I was not his attorney."

Shortly after receiving this letter from [] he received a telephone call from [] attorney, [] [] also asked Chagra to come to Houston to speak to [] and []. He thereafter traveled to Houston, Texas, and met with [] and [] and as a result of these meetings with them, "I felt I was going to be his designated attorney on the Van Horn case only." Chagra stated after these meetings he felt that he was representing [] both on his Houston cases and state charges pending against [] in Van Horn, Texas, but felt he was going to be [] "designated attorney" on the Van Horn case only. Chagra also commented during this part of the interview that "I wasn't thinking about representing [] on the Houston case" until he got the letter from [] and the telephone call from []

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Next Chagra stated, "Now I had been talking to [] for five or six months prior to the Van Horn arrest (September 1, 1980)." During this time [] was "talking to me about the Houston case." [] showed Chagra the search warrant which had been used against him in that case, and had discussed it with Chagra in a legal defense sense.

Joseph Chagra stated that when he first met [] [] in May of 1980, he "knew [] name" when he was first introduced to him. At this point in the interview [] commented that when Chagra first met [] at this time "he knew [] was a potential target in the Wood investigation." Joseph Chagra explained this comment by saying that prior to this first personal meeting with [] in El Paso, Texas, in May, 1980, "I had learned of [] from a privileged source," as well as reading newspaper articles speculating about [] involvement in the Wood case. Also, [] had told him that records concerning [] and [] had been subpoenaed at Caesars Palace in Las Vegas. This personal meeting he had with [] was brought about as follows.

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One day in May of 1980, he received a telephone call from his friend, [] asked him to come over to his residence. Chagra proceeded to [] residence in El Paso, at which time there was another person present at [] house. This man came over to Chagra, shook his hand and said, "You don't know me, but I'm [] I loved your brother Lee and had talked to him on the phone several times. I met your [] in Las Vegas during Binions Poker Tournament and I wanted to meet the younger brother." [] went on to state that

he only expected to be in El Paso for "a day or two" and "just wanted to meet you." Chagra recalls that [] mentioned to him at this time he was facing charges in Houston, but Chagra stated [] was not a fugitive at this time. [] commented that he knew that [] was or had recently been a fugitive, and they discussed state and federal fugitive laws. This is all the information that Joseph Chagra supplied concerning the context and substance of his first meeting with [] until pressed for further details later in the interview.

Chagra stated that the next meeting he had with [] was in June of 1980. A friend of his [] called the Chagra residence and asked Joe Chagra to come over to her residence because she needed to talk to him. He had never been to her house before, but he went. He walked in and there [] was sitting with []. [] came over and "embraced and hugged" Joe Chagra and they greeted each other. Joe Chagra stated that it was "obvious to [] at this time that he and [] had met before, but Chagra was taken at a complete loss when [] introduced [] as []. Chagra was surprised but did not say anything until [] left the room. [] then informed Chagra when they were alone that he was using an assumed name with [].

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Joe Chagra stated that [] stated to him during this meeting that she wanted him to "draw up a contract" between her and [] in which [] would provide her with "security." Chagra noted that [] son had, at this time, just died in a car accident with one or two other family members, and [] felt that her son's car accident was not an accident, "and that she was in danger." She felt that she needed a bodyguard or someone to provide security for her and her home. Chagra stated that [] also seemed to sincerely believe that [] was in potential danger. He did draw up this contract for [] and [] in the name of [].

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Chagra stated at this point in the interview that [] did discuss [] involvement in the Wood murder with Chagra at this time, during this meeting at [] home, but [] was not present during this discussion. He did not ask Chagra for legal advice concerning the Wood case at this time, because "his immediate concern was the Houston charges- he didn't know whether he should appear or not." [] again showed Chagra the search warrant on which the Houston charges were based, and Chagra told him that "it looks good to me." Chagra stated he did not advise [] to flee the Houston charges or anything like that at this time.

Neither was there any attempt by [] to "blackmail" Joe Chagra or any other members of the Chagra family as a result of information that [] had about the Wood murder. Chagra added at this time that [] also brought up his involvement in Wood's murder during the first meeting that Joseph Chagra had with him at [] house in May, 1980. This information was mentioned by [] when he and Chagra were walking outside in the neighborhood of [] house, when no one else was present. Chagra was shocked when he met [] at [] house at that time, as he could not think of any reason why [] would come to El Paso "except for blackmail purposes." He could not figure out why [] was in El Paso or wanted to meet him. [] did not then, nor has he ever, attempted to blackmail Joe Chagra or Joe Chagra's relatives as a result of information [] possesses about Judge Wood's murder. When asked for further explanation as to why [] would bring up the Wood murder at their first meeting, specifically why [] would discuss this with him, Chagra stated, [] apparently assumed that I (Joe) knew about it." At the insistence of [] Chagra acknowledged that [] assumption was correct at that point in time, i.e., he, Chagra, did know, from a privileged source, that [] and [] were responsible for the Wood murder. He acknowledged this to [] at that time. At no time during the interview would Joe Chagra discuss the details of statements made to him by [] and [] about Wood's murder, claiming this was privileged information.

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Chagra advised that he met [] between five to ten times in El Paso, Texas, during the period June to August, 1980. All of these meetings were at [] residence, and the third meeting he had with [] after the previously described first two meetings was a birthday party which [] had. Joe Chagra's wife and children were there for that birthday party.

Chagra advised that he had never met [] He stated he had met [] at [] at the same time that he first met [] in person in May, 1980. Prior to that, he had only heard of [] through Lee Chagra, in those days she was known as []. At the time he first met her at [] house, he did not even know that she was [] as he had heard that she was [].

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Chagra stated that during these 5-10 meetings with [] in El Paso, Texas, during the period June to August, 1980, [] did make "further references" to the Wood case. At this point [] stated to Chagra, "You both knew

but you didn't say much about it." Chagra replied, "Yes." [redacted] then said, "Did he say, we got away with it, la-de-da, or was he asking legal advice?" Chagra stated, "A little of both." He went on to state that his meetings with [redacted] in El Paso during the summer of 1980 were "unreal situations." "Here this guy is talking about his involvement in the murder of a federal judge but at the same time here's this same guy cutting the grass and laying in the sun." Chagra stated that [redacted] acted like he assumed I knew about it, but I don't know why he assumed I knew about it." Chagra stated he did not know know if [redacted] had ever talked to [redacted] about the Wood murder after the fact. He stated that he and [redacted] never discussed the Wood case in the presence of others, as they both made a point of making sure no others were around when the subject was discussed.

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Prior to late August, 1980, he met [redacted] only at [redacted] house and the original meeting at [redacted] house. He did not discuss the Wood related conversations he had with [redacted] with anyone else except [redacted] Chagra stated he did not think that [redacted] told anyone else either, including [redacted]

Joseph Chagra noted at this point in the interview that he still represents [redacted] in [redacted] current attempted capital murder state case in El Paso, Texas. He volunteered without being questioned that "there was no drug deal at Howard Johnson's in El Paso. [redacted] and [redacted] never even knew each other until a few hours before the shootout. It was a coincidence that they were there at the same time." Chagra noted that Lee Chagra was [redacted] first attorney on some narcotics charges facing [redacted] When Lee Chagra was murdered, Joe Chagra took over as [redacted] legal counsel. Joe Chagra noted that when he saw [redacted] at FCI, Englewood, Colorado, for the last time prior to [redacted] June, 1980, escape from that institution, his purpose in seeing [redacted] was to discuss with him the recent denial of certain legal motions Joe Chagra had filed on [redacted] behalf concerning a reduction in the length in [redacted] prison sentence. At the outset of the meeting, he and [redacted] discussed that legal event and the fact that [redacted] only had thirteen or fourteen months yet to serve. However, at this meeting [redacted] told Chagra that he was going to escape from FCI, Englewood. He said "he had a place to go, had it all worked out." Chagra tried to talk him out of carrying out the escape, to no avail.

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Joseph Chagra stated that sometime later he received a telephone call from [redacted] who informed him that [redacted] had escaped. During the period June to August, 1980, [redacted] called Joe Chagra three or four times, each time giving

Chagra the number of a pay telephone at which Chagra could call him. Each time, Chagra went to a pay telephone himself, and dialed the number [] had given him and talked to []

One Sunday in August, 1980, [] called him again and gave him a pay telephone number within the 915 area code at which to call him. Chagra was shocked to think that [] was in El Paso, but he went to a pay phone and called [] at the designated number. At this time [] advised that he needed to talk to Chagra and stated he was at the Howard Johnsons Motel in El Paso and gave Joe Chagra his room number. Joe Chagra went to the motel room, and he and [] sat and talked. [] did not know what to do. He was wondering whether he should turn himself in.

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Chagra advised that he left Howard Johnsons and went home and shortly after returning home, he received a telephone call from [] asked him to go to a pay phone and call [] back at a pay phone. Chagra did so, and when [] answered, he started in by saying, "They know where I'm at." He asked that Chagra come and see him, and when Chagra asked [] where he was, [] replied "The Howard Johnson's Motel." Again, this was the same day, Sunday, that Chagra had gone to see [] at the same Howard Johnsons Motel in El Paso. Chagra then proceeded to the Howard Johnsons Motel to see []

Chagra met [] in [] Howard Johnsons Motel room, and Chagra commented to [] that "I've got another fugitive friend just down the hall in another room."

At this point in the interview Chagra was asked whether or not he, [] and [] were ever together in the same room at the motel. He stated he would not answer, at least until he discussed his answer with his attorney.

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Chagra stated that it was later this evening or early the next morning, a Monday morning, that [] was involved in the shootout at the Howard Johnsons Motel which resulted in his capture. In response to specific questions, Chagra advised that [] had told him during his meeting at the Howard Johnsons Motel that he was "low on cash" so Chagra loaned him \$200 or \$300. Chagra denied giving any money to [] at any time during any of the meetings he had with [] in El Paso.

Chagra advised that on August 30, 1980, [redacted] called him at home and she was very upset, saying that [redacted] just called from the La Quinta Motel in Houston. He says he's surrounded and that they are about to kill him and he wants to talk to you." [redacted] gave Joe Chagra a number at which to call [redacted]. He went to a pay phone and called [redacted] reaching him at a pay phone which Chagra assumes was near the La Quinta Motel. [redacted] stated he was "surrounded, they're all around me, they've even got helicopters, there goes one now." [redacted] went on to say that Chagra should "record this call." Chagra explained that he was calling from a pay phone and had no recording equipment. He told [redacted] to call him at home in a few minutes and he would record the call. Chagra went home and [redacted] called him back at his residence.

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Chagra put the recording equipment on the phone and [redacted] went on with the conversation. He said that he was "surrounded, they've drilled a hole in the bathroom, they're gonna kill me." Chagra tried to ask [redacted] how drilling a hole in the bathroom was going to capture or kill him, but [redacted] was not making any sense. [redacted] said he wanted Chagra to record this conversation and Chagra told him that he was. [redacted] went on to say that "the government" was trying to blame the murder of Judge Wood on him, that he didn't do it, that his attorney [redacted] from Dallas has affidavits providing him with an alibi, that the government was trying to set him up and that he was sorry that [redacted] and his family and [redacted] had gotten involved. [redacted] went on to say that "I'm going to go down fighting." He stated he was going to "try to make it back to El Paso."

Chagra stated that during this call [redacted] did not ask him for any legal advice. He did comment that he had "tried to make a deal, I'll take life on the cocaine charge but I want to go to a federal joint and I've already talked to them about it." Chagra asked him who he had talked to. [redacted] replied, "I don't know, DEA, FBI, CIA, whoever, but I haven't heard back." Chagra asked [redacted] if [redacted] wanted his help. [redacted] said, "No. I'm just waiting to hear back from Washington." Chagra ended the conversation by saying, "Well then take care."

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Concerning [redacted] subsequent arrest in Van Horn, Texas, on or about September 1, 1980, Chagra advised that when this happened he was "out of town." [redacted] reached him by telephone and stated that she had just gotten a telephone call from Van Horn and that they have ("who [redacted] now knew was") [redacted] surrounded and he's threatening to kill himself. She asked Joe's advice as to whether she should go, as she wanted to go. He told her to go ahead and go to Van Horn. "Sometime after that" a day or two later, Chagra asked [redacted] to

go out to Van Horn and see [] as Chagra himself was out of town and could not go.

Chagra advised that after [] arrest in Van Horn and his incarceration at the Harris County Jail, Houston, Texas, he visited [] probably five or six times. During each of these meetings [] involvement in Judge Wood's murder was discussed along with matters involving his state cases arising out of Houston and Van Horn. Chagra stated that concerning the Wood case, [] never asked me to do anything. He explained his role in the Wood matter to me at the Harris County Jail and previous meetings I had with him in El Paso, but I handled him just like any other client. [] was my main concern in these meetings, but I didn't do anything to prejudice [] Chagra went on to state that "I didn't try to dissuade him from doing a deal or from turning in [] Chagra stated categorically that he never gave [] or anyone else any reason to think that he (Chagra) knew about Judge Wood's murder beforehand. "Just the opposite," Chagra stated, "It was clear to him from all of our conversations that I didn't know beforehand."

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Chagra stated that [] attitude during the Harris County Jail meetings was that "He felt he was gone, but wanted to go Federal, and if he had to he would go in and confess in order to get Federal time, but he wouldn't hurt [] Chagra stated that his main advice to [] during these meetings was that he should wait and see what happens, and see what evidence there was against him.

Chagra states that he feels the above conversations he had with [] are privileged on the basis of attorney-client. He felt the same way concerning the discussions he had with [] concerning a map showing the location of the weapon, but [] advised Chagra to tell the FBI what he knows about the map. Chagra advised as follows.

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Chagra advised that [] attitude towards the murder weapon, as expressed to Chagra during the Harris County Jail meetings, was that if the Wood case investigators did not have the gun, they did not have a case. The question of where the gun was came up in the conversations. Chagra acknowledged that he asked [] where the gun was located but did not tell [] he would get the weapon. [] drew a map on a legal size piece of paper, which Chagra took from the Harris County Jail with him. He took the hand drawn map to his office, where he drew his own copy of it and then shredded the one drawn by [] His own copy of this map was seized by the FBI during the search of his residence on February 27, 1981.

Chagra stated he does not know if [] was lying to him in telling him that this map described the location of the weapon used to murder Judge Wood. Chagra stated that at times "I've even had doubts as to whether [] did it or not." Chagra admitted thinking about going to get the weapon and hiding it but I was "too scared to get within 100 miles of it." He may have told [] that he "might" go and see if it is there "for my own personal curiosity, really." Chagra stated during the interview that "I'm glad I never went."

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Chagra stated that [] never described to him whether or not the gun was underwater or buried. He just drew the map with few, if any, accompanying verbal descriptions. Actually, when the topic first came up between the two, [] concern was whether or not the gun was visible to passersby. He didn't think it was, but asked Joe to go and have a look. [] later asked Chagra if he had gone to get the gun or gone to see the gun and Chagra told him that he was afraid to go. Chagra told [] "let it be." [] replied, "Forget about it-no one will ever find it." Chagra stated he never considered having anyone help him go and find the gun as "I didn't trust anyone enough."

Chagra stated that he told [] about the fact that he and [] discussed "getting the gun" but he never discussed it with anyone else, including []

As far as background events leading up to May, 1979, Joseph Chagra advised that in late April early May of 1979, [] was living at Caesars Palace while his Las Vegas residence was being built. Chagra did not recall for sure whether or not he himself attended Binions World Championship of Poker at the Binions Horseshoe Casino in Las Vegas in late April, early May, 1979, but he does not believe he did. He was back and forth numerous times between Las Vegas and El Paso, Texas, during that time, however. He is certain he was never at Binions Horseshoe Tournament when [] and [] were there together. However, Joe Chagra "knows who was there when they met because [] told me after the murder."

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Joe Chagra was in El Paso, Texas, on May 29, 1979. Attorney [] called him at home during the day and said, "Did you hear?" Chagra replied, "No. What?" [] replied, "Somebody murdered Judge Wood." Chagra thinks he replied, "You must be kidding."

Chagra stated he may have made some derogatory comments about Wood to [] during that phone call and to the press and others later on, but he does not remember for sure. He may have said to someone something to the effect, "I can't say I'm sorry

to hear it," but he does know that his main thought at the time was that he and his family would be blamed. He recalls that he told the press on this point, "it's the worst thing that could happen to our case," meaning Jimmy Chagra's pending Federal narcotics case. Chagra recalled that [redacted] did make a statement to the press after some pretrial hearings before Judge Wood in Midland, Texas, along the lines of his chances of being acquitted without Wood as a trial judge were at best 50-50, but with Wood as a trial Judge he had no chance at all.

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Chagra advised that he probably did have meetings with [redacted] at [redacted] Las Vegas residence wherein he and Chagra discussed their feelings about Judge Wood in [redacted] upcoming trial, in the presence of others, prior to Judge Wood's murder. However, he does not recall any specific occasion or those who were present, although he does know [redacted] and some of [redacted] friends and they may have been present during one or more such meetings at [redacted] Las Vegas residence. He knows a [redacted] associate named [redacted] who is a [redacted] who reminds Joe Chagra of [redacted] [redacted] also would frequently bring to Las Vegas a short guy whose name Joe Chagra does not know.

Chagra does not remember compiling a specific file of the results of any study he did on the sentencing policies of Judge Wood. He stated he does have a 24-25 volume file "on Judge Wood." The only files he recalls having at [redacted] Las Vegas residence and discussing with him, possibly in the presence of others, was a file containing transcripts from [redacted] case which he felt contained information which would help them get Judge Wood to recuse himself from [redacted] case.

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Chagra denied that he ever told [redacted] or anyone else in the presence of any other persons "you can't allow yourself to be tried by Judge Wood." All he ever said to [redacted] about Wood being the trial judge was that [redacted] would not get a fair trial from Judge Wood.

Chagra recalls meeting [redacted] at [redacted] Las Vegas residence. [redacted] was working for [redacted] at that time, providing security for [redacted] told Joe on one occasion that [redacted] was related to [redacted] and that [redacted] had introduced [redacted] to [redacted] Joe Chagra is aware that [redacted] knows [redacted]

Joe Chagra advised that he "wouldn't be surprised" if [redacted] used the personal telephone or telephone extension of [redacted] at Binion's Horseshoe Casino, as [redacted] and [redacted]

are close friends. [] is closer to [] than any of the other []. Chagra stated that [] "had a lot of girlfriends" but he remembers one whose name could have been []. One of [] girlfriends, possibly the one named [] called Joe Chagra after [] had skipped bond and become a fugitive. She asked to borrow money from Joe, and commented to him that the FBI had interviewed her about what [] said to her on May 29, 1979, after he [] learned of Wood's murder. Joe Chagra told her that he knew [] was shocked by the murder, and he did not loan the girl any money.

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Chagra advised that he had never been present with [] when [] talked to [] on a pay phone. He never saw the two together in person. The only pilots he knows of that have been used by himself, [] or [] are [] of Las Vegas, and an unknown white male pilot from Florida, who is thin, with brown hair, approximately 5'10" tall. However, this pilot was used by the Chagra family only when [] lived in Florida, which situation terminated in late 1978.

Joe Chagra recalls that the [] had the name [] and [] was [] "companion." He recalled that when the company Jet Avia was still in business in Las Vegas, [] sometimes retained a blonde white male pilot who flew for Jet Avia to fly [] and his family around. He did not know this pilot's name, but this pilot testified for [] at Chagra's Federal narcotics trial in Austin, Texas, in August, 1979. Chagra is unaware of any travel agencies used by [] in Las Vegas, but believes most of the plane reservations made for [] when they were living in Las Vegas were made by [].

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Chagra stated he never helped anyone trace Judge Wood's movements during May, 1979, or at any other time. He never relayed any such information concerning Judge Wood's travels and whereabouts to anyone else, nor was he ever asked to do so. He does know Deputy U. S. Marshal [] but never asked for or obtained information from him about Judge Wood.

Chagra stated that although he and [] Lee (before Lee was murdered) did discuss their hatred for Judge Wood, they never "seriously" discussed killing Wood. He was specifically asked at this point in the interview if he ever, as a result of the "non serious" discussions about Wood, ever had occasion to say "do it" where the meaning of his statement meant "kill Wood." Chagra paused for a long time and then stated, "No, I don't recall that." He repeated that response several

times, finally saying, "I don't think I would have said that in front of anybody." This point was discussed at great length and Chagra was asked to recall even any innocuous conversations, prior to May 29, 1979, which might be interpreted as counseling, suggesting or agreeing to the killing of Judge Wood. He advised that he had not been involved in such conversations.

Joe Chagra was specifically asked if [redacted] or anyone else had ever told him prior to May 29, 1979, that Judge Wood was going to be killed. Chagra replied categorically, "No." He stated that he had absolutely no suspicion before May 29, 1979, that Judge Wood was to be killed. [redacted] asked Joe Chagra if he even "consciously avoided" knowing of or asking about any Wood plot, because he did not want to know. Chagra stated that he did not "consciously avoid" discussing or obtaining information about any supposed Wood plot prior to May 29, 1979, because he did not know of any such plot which needed to be "consciously avoided."

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Chagra also stated that he never indicated after May 29, 1979, during any discussion with anyone, that he knew beforehand or "should have known" beforehand, that Wood was going to be murdered. He was asked if he was certain he had never made such a statement to anyone after the crime, that could be interpreted or clearly implied that he did not know about or was involved in the murder beforehand. Chagra at first replied in the negative, but after thinking for a moment, he requested to speak to his attorney privately. He spoke with his attorney privately from 1:20 p.m. until 1:25 p.m. When they returned to the interview room, [redacted] stated that Joe considered the following information privileged and he [redacted] was furnishing it primarily for possible later polygraph purposes and to clarify the preceding question. [redacted] then advised that Joe Chagra told him that one time, when he was visiting [redacted] at [redacted] place of incarceration, Leavenworth, Kansas, a conversation along the following lines transpired. [redacted] said, "Did I make a mistake?" This was in reference to the Wood case. Joe Chagra replied, "Fuck yes." [redacted] then said "jokingly," "Well it was your idea, you're the one that did it." Joe Chagra immediately replied, horrified that [redacted] would joke about such a thing, "Don't even joke about that. You know it's not true." [redacted] then replied, "I'm going to make a deal with the government and tell them you are Mr. Big, you were running the family at that time and you set it up." Joe Chagra again told [redacted] not to joke about something like that, as that was not true.

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Chagra stated that he had one conversation like this at Leavenworth, where [redacted] was joking with him, and one

conversation only of that nature transpired. He never at any time had such discussion with [redacted] at any other place, and was fairly certain he had had no other similar discussions with [redacted]. Chagra stated he will polygraph concerning the information he has supplied about this conversation. He stated that during this conversation [redacted] was obviously joking, and he was obviously shocked that [redacted] would joke about such a thing, as he (Joe) did not come up with the idea to murder Judge Wood, nor did he organize or set up the murder, and he did not counsel or agree with [redacted] that the Judge should be killed.

The topic of conversation briefly returned to [redacted] and [redacted] at El Paso during the summer of 1980. Chagra was specifically and repeatedly asked whether or not he and [redacted] and [redacted] were ever together at the Howard Johnsons Motel in El Paso, Texas, in August, 1980. Chagra asked to have a private conference with his attorney, and he and his attorney left the room. They conferred for approximately five minutes and returned to the room, whereupon [redacted] advised that Joseph Chagra, [redacted] and [redacted] were together on one occasion in [redacted] room at the Howard Johnsons Motel in El Paso, Texas, a few hours before the shootout in which [redacted] was captured. During this meeting, according to Chagra himself, [redacted] discussed the Wood murder but stated to [redacted] that he was being framed for it. This meeting occurred in [redacted] room. Chagra stated he was positive it was [redacted] room. He had gone down to [redacted] room and brought [redacted] back to [redacted] room. This was sometime between 4:00 p.m. and 6:00 p.m. on the aforementioned Sunday in August, 1980.

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Chagra was then specifically asked whether or not he had given any money to [redacted] during this meeting or any other meeting that he had with [redacted] in El Paso, Texas, between June and August, 1980. He asked to have a private conference with his attorney, which he did, and they returned to the interview room in approximately three minutes. At that time [redacted] advised that there was some money that did go to [redacted] from Joe Chagra but it had nothing to do with the Wood murder.

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Chagra advised that he knows [redacted] as he met [redacted] years ago when Lee Chagra was [redacted] attorney. He never saw [redacted] and [redacted] together. He does not recall any instance where [redacted] and [redacted] telephoned [redacted] in his presence.

Chagra knows that [redacted] is a good friend of [redacted] but he has never seen the two together.

Questioned again concerning the map drawn by [redacted] and then copied by him, Chagra stated that [redacted] did not give him any verbal instructions as he drew the map. He just drew the map. He may have said something to the effect that it is "near a Stuckey's off I-20," but Chagra is not even sure. He got the map from [redacted] during the first or second meeting that he had with [redacted] at the Harris County Jail in Houston. [redacted] insisted that Chagra fully explain all circumstances surrounding the map, noting that the map, without instructions, was useless. Chagra reiterated that he did not ask for instructions because he knew he would not go get the weapon. He acknowledged that it is possible that [redacted] assumed or even suggested he get the gun, but he (Joe) never intended to do so. Chagra denied ever telling [redacted] that he would get the gun, and only told [redacted] that [redacted] had furnished a map, but that was all. Chagra was specifically asked if he had ever discussed with [redacted] or [redacted] that the gun was 45 minutes away from Dallas, or similar statements. Chagra stated he had no idea as to the exact location of the gun and, therefore, could not have held such a conversation. Chagra also denied that [redacted] told him the gun was buried, that he might need a metal detector to find it, or that the gun was under water.

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Chagra stated that he does not know whether or not [redacted] and [redacted] gambled together in Las Vegas in late April, or early May, 1979.

After a brief break in the interview, SA [redacted] advised Chagra that the FBI had solid evidence that he had knowledge of the planned murder of Judge Wood prior to May 29, 1979, and that he had apparently been less than candid on this and several other issues in the interview. Chagra stated that he would like to see evidence of any kind which conflicted with his denial of prior knowledge, and agreed to listen to a recording of two persons discussing the Wood murder.

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A portion of a tape recorded conversation between [redacted] and Joseph Chagra was then played for Chagra and his Attorney, [redacted]. The first portion of the tape played for them contained a conversation wherein Jimmy Chagra said, in reference to the Wood murder, "Boy, we shouldn't have done that, huh Joe?" Joe replied, "Shouldn't have done it," and then [redacted] replies, "You were the one that said do it, do it, do it. You're the one was all hot to do it." The tape was then stopped. (It should be noted that as SA [redacted] set up the tape recorder and arranged for [redacted] and Chagra to listen to the recording over individual headphones, [redacted] commented, "I guess you could say there has been some electronic surveillance in this investigation," He then warned Joe Chagra that "if you're not a party to the conversation, you don't have to explain it.")

At the conclusion of the aforementioned portion of the tape, [] asked Joe Chagra who the "other" person on the tape was, and he replied that it was [] Joe Chagra then said that this was the "joking" conversation he had with [] at Leavenworth, which he had previously described. Chagra was then asked to repeat again what his response was to the alleged "joking" comments of [] which he had just heard. He stated that he immediately responded that [] should not even joke about something like this, as it was not true and was not funny.

Interviewing Agents then advised Chagra that they were going to play the remaining portion of this conversation so he could listen to it on tape. [] at this time stood up and said that he did not need to hear anymore tape, he would believe the Agents if they said they had more on tape, and requested that the Agents just read the remaining portion of the conversation from the transcript. Interviewing Agents insisted that Chagra and [] listen to the conversation on the tape, to which [] agreed. b6 b7C

The remaining portion of this particular conversation was then played so Chagra and [] could hear it through their headphones. In this portion of the conversation, Joe Chagra replies to [] "you're the one that said do it," comment by saying, "Well, I thought you'd get the Mafia to do it."

Immediately upon hearing this portion of the tape, Joe Chagra's face turned white, he removed his headphones, leaned back in his chair and stared at the ceiling with his hands clasped across his chest, without saying anything. This posture continued for the rest of the interview. He made no further statement regarding the recorded conversation.

SA [] then went on to state that the FBI had tape recorded an extensive number of conversations to which he was a party, and that these conversations involved discussions of numerous past, present, and planned crimes, such as the murder of witness Henry Wallace, the importation of narcotics into the United States and the smuggling of narcotics into various prisons, escapes from prisons, the murder of [] and the attempted murder of Assistant United States Attorney James Kerr, etc. Chagra stated upon hearing this, "Yeah, but who always brought it up?" He was told that in the government's view, the content and extent of the conversations, in a criminal sense, particularly regarding the Wood murder, but in other areas also, was such that the FBI could not agree with his claim of no prior knowledge or b6 b7C

involvement and that, of course, this would be an issue for a jury to decide. He was told that, as in any criminal matter, should he change his position and be willing to volunteer his cooperation, knowledge and testimony regarding this heinous crime, and if his cooperation was total, candid in all areas, and forthcoming in the immediate future, the extensive possible charges facing him might be mitigated somewhat. It was clearly explained, however, that this was not a plea bargain offer as such, but only SA [] opinion and position on the issue of his possible cooperation regarding the Wood murder. He was told that any actual plea bargaining should be initiated between his attorney and the prosecutors assigned to the Wood case. Chagra made no comment except, "I understand."

SA [] concluded the interview by stating that Chagra had obviously lied to the FBI during this interview, and had apparently also lied to his attorney and that an explanation should be forthcoming from Chagra concerning this. []

[] commented at this point, "Yes." [] then requested to speak to his client alone, and the interview was terminated.

[] and Joe Chagra subsequently spoke to Assistant United States Attorneys and Special Prosecutors in the Wood murder case, W. Ray Jahn and John C. Emerson, as well as Assistant United States Attorney LeRoy Jahn. They departed the San Antonio Office of the FBI at 2:51 p.m.

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